

HOUSE BILL 709

By Pitts

AN ACT to amend Tennessee Code Annotated, Section 39-13-523, relative to the punishment for certain child sexual offenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-523(b), is amended by deleting the subsection in its entirety and substituting instead the following:

(b)

(1) Notwithstanding any other law to the contrary, any of the following persons convicted in this state of committing one (1) of the required offenses in subsection (a) or (b) on or after July 1, 2009, shall be sentenced to imprisonment for life without possibility of parole:

(A) A child sexual predator;

(B) Child rapist; or

(C) Any person convicted of a violation of § 39-13-531 and who has one (1) or more prior convictions for § 39-13-531, § 39-13-522 or any offense classified in subdivision (a)(4).

(2) Notwithstanding any other law to the contrary, a child sexual predator convicted in this state of committing one (1) of the required offenses in subsection (a) on or after July 1, 2007, but before July 1, 2009; or a child rapist convicted in this state of committing one of the required offenses in subsection (a) on or after July 1, 1992, but before July 1, 2009; or a multiple rapist convicted in this state of committing one (1) of the required offenses in subsection (a) on or after July 1, 1992 shall be required to serve the entire sentence imposed by the

court undiminished by any sentence reduction credits the person may be eligible for or earn.

(3) A child sexual predator, multiple rapist or a child rapist shall be permitted to earn any credits for which the person is eligible and the credits may be used for the purpose of increased privileges, reduced security classification, or for any purpose other than the reduction of the sentence imposed by the court.

SECTION 2. Tennessee Code Annotated, Section 39-13-523(e), is amended by deleting the subsection in its entirety and substituting instead the following:

(e)

(1) The provisions of this section requiring child sexual predators, child rapists or any person convicted of a violation of § 39-13-531 to be sentenced to imprisonment for life without possibility of parole shall only apply if at least one (1) of the required offenses in subsection (a) or (b) occurs on or after July 1, 2009.

(2) The provisions of this section requiring child sexual predators to serve the entire sentence imposed by the court shall only apply if at least one (1) of the required offenses in subsection (a) occurs on or after July 1, 2007.

(3) The provisions of this section requiring multiple rapists to serve the entire sentence imposed by the court shall only apply if at least one (1) of the required offenses in subsection (a) occurs on or after July 1, 1992.

SECTION 3. This act shall take effect on July 1, 2009, the public welfare requiring it.